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78,140,892

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In the matter of trademark Registration No. 2,823,043

For the mark REDHEAD LOUNGE

Date registered: March 16, 2004

BASS PRO TRADEMARKS, L.L.C

v.

ERIN JOI SKALDE

02-06-2007

U.S. Patent & TMO/TM Mail Rcpt Dt. #72

PETITION TO CANCEL

Petitioner is BASS PRO TRADEMARKS, L.L.C., a Limited Liability Company organized and existing under the laws of Missouri, located and doing business at 2500 East Kearney, Springfield, Missouri 65898.

To the best of petitioner's knowledge, the name and address of the current owner of the registration are as follows: Erin Joi Skalde, an individual and citizen of the United States of America, 602 East Livingstone Street, Orlando, Florida 32803.

The above-identified petitioner believes that it will be damaged by the above-identified registration, and hereby petitions to cancel the same.

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The grounds for cancellation are as follows:

1. Petitioner is the owner of the U.S. Trademark Registrations identified below:

Mark	Serial No. Filing Date	Registration No. Registration Date	International Class Goods/Services
RED HEAD	71/140910 12-11-1920	157,633 08-15-1922	IC 25 Hunting and riding coats, vests, and pants
RED HEAD	73/327042 08-08-1981	1,264,756 01-24-1984	IC 9 Flotation equipment-namely, belts; vests; and cushions IC 13

			<p>Cartridge belts made of leather; cartridge pouches made of leather and other materials; cartridge boxes made of leather; leather cartridge slides; leather gun slings; pistol rugs made of leather and other materials; pistol cases; rifle and shotgun cases made of leather and other materials; leather saddle scabbards; leather holsters; and rifle and shotgun recoil pads</p> <p>IC 18</p> <p>Duffle bags; garment bags for travel; pullman bags made of canvas; canvas bags for carrying sporting game accessories; baggage carrying shoulder straps; game bags of cotton or rubberized material for carrying and protecting sporting game</p> <p>IC 20</p> <p>Sportmen's stools; sleeping bags and carrying bags therefor; camping pillows; liners for insertion into sleeping bags; and merchandise display racks</p> <p>IC 25</p> <p>Clothing for hunters and outdoorsmen-namely, coveralls (insulated and uninsulated); shirts; sport shirts; caps; utility belts; suspenders; and face masks</p> <p>IC 28</p> <p>Hunting equipment-namely, game carriers in the nature of straps with attached wires for securely holding game; and bow cases</p>
	75/176899 10-04-1996	2,207,956 12-08-1998	<p>IC 35</p> <p>Mail order catalog services in the field of hunting and outdoor gear</p>

Said registrations were based on applications filed in the U.S. Patent and Trademark Office on December 11, 1920, August 8, 1981, and October 4, 1996, all dates prior to the date of filing of respondent's application. Said registered marks of petitioner are valid and subsisting and are prima facie evidence of petitioner's exclusive right to use said RED HEAD mark in

commerce on the goods and in association with the services specified in said registrations, as identified above. In view of the similarity of the respective marks and the related nature of the goods and services of the respective parties, it is alleged that respondent's registered mark so resembles petitioner's registered mark, as to be likely to cause confusion, or to cause mistake, or to deceive.

2. Since at least as early as 1908, Petitioner, or Petitioner's predecessor in title, has been using the mark RED HEAD in connection the goods identified in Registration No. 157,633; since at least 1968 in connection with the goods identified in Registration No. 1,264,756; and since at least 1996 in association with the services recited in Registration No. 2,207,956. Said use has been valid and continuous since said dates of first use and has not been abandoned. Said use was begun on a date prior to the date of filing of respondent's application. Said marks of Petitioner are symbolic of extensive good will and consumer recognition built up by Petitioner through substantial amounts of time and effort in advertising and promotion. In view of the similarity of the respective marks and the related nature of the goods and services of the respective parties, it is alleged that respondent's registered mark so resembles Petitioner's marks previously used in the United States, and not abandoned, as to be likely to cause confusion, or to cause mistake or to deceive.

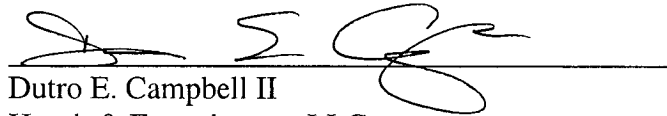
3. Since at least as early as 1908, Petitioner, or Petitioner's predecessor in title, has been using the mark RED HEAD in connection with the goods identified in Registration No. 157,633; since at least 1968 in connection with the goods identified in Registration No. 1,264,756; and since at least 1996 in association with the services recited in Registration No. 2,207,956. Said use has been valid and continuous since said dates of first use and has not been abandoned. Said use was begun on a date prior to the actual date of first use of the respondent's registered mark and prior to the respondent's claimed date of first use. Said marks of Petitioner

are symbolic of extensive good will and consumer recognition built up by Petitioner through substantial amounts of time and effort in advertising and promotion. In view of the similarity of the respective marks and the related goods and nature of the services of the respective parties, it is alleged that respondent's registered mark so resembles Petitioner's marks previously used in the United States, and not abandoned, as to be likely to cause confusion, or to cause mistake or to deceive.

WHEREFORE, Petitioner prays that Registration No. 2,823,043 be cancelled and that this Petition for Cancellation be sustained in favor of Petitioner.

Petitioner hereby appoints Dennis J.M. Donahue III, Michael D. Bokermann, Rebecca J. Brandau, Dutro E. Campbell II, John K. Culpepper, Robert C. Haldiman, Grant D. Kang, Ryan Mitchem, Harry B. Ray, H. Frederick Rusche, and Jonathan V. Trousdale of the firm Husch & Eppenberger, LLC, to act as attorneys for Petitioner herein, with full power to prosecute said Petition and to transact all relevant business with the U.S. Patent and Trademark Office and the United States Courts. **Dutro E. Campbell II** is hereby authorized to receive all official communications in connection with this Petition for Cancellation.

Respectfully submitted, this 5th day of February , 2007.



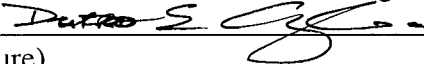
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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: United States Patent and Trademark Office, Trademark Trial and Appeal Board, P.O. Box 1451, Alexandria, Virginia 22313-1451 on the date shown below:

Dutro E. Campbell II

(Typed or Printed Name of Person Signing Certificate)



(Signature)

2-5-07

(Date)